

Jim Henry

From: Jim Henry
Sent: Friday, May 04, 2007 5:03 PM
To: Wong, Warner
Subject: RE: Interview re 09/992,266

Examiner Wong:

I am in agreement with the substance of the amendment you propose for claim 1. Does the following amendment fully address the 101 issue as you proposed but perhaps in a more concise form by keeping the elements of the proposed wherein clause with the control word element?

1. (Currently Amended)

A method, comprising:

receiving an Asynchronous Transfer Mode (ATM) Adaptation Layer 5 (AAL5) Common Part Convergence Sublayer-Service Data Unit (CPCS-SDU) ~~AAL5 CPCS-SDU~~ at a router;
 encapsulating the AAL5 CPCS-SDU into an AAL5 enhanced packet at the router;
 generating ~~an MPLS~~ a MultiProtocol Label Switching (MPLS) packet from the AAL5 enhanced packet, wherein the AAL5 enhanced packet comprises an ATM header and a control ~~word,~~ word, the control word comprising a transport type bit to properly identify whether the MPLS packet contains an ATM cell or an AAL5 CPCS-SDU; and
 routing the MPLS packet over an MPLS network.

Does this proposed amendment to claim 6 address the 101 issue for this claim?

6. (Currently Amended)

A method comprising:

receiving an MPLS packet at a router;
 decapsulating the MPLS packet when the MPLS packet is an AAL5 enhanced packet;
 producing an AAL5 CPCS-SDU from the AAL5 enhanced packet, wherein the AAL5 enhanced packet comprises an ATM header and a control word, the control word comprising a transport type bit to indicate that properly identify whether the MPLS packet ~~comprises~~ contains an ATM cell or an AAL5 CPCS-SDU.

Thank you for your helpful comments with regard to addressing these 101 issues.

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-----Original Message-----

From: Wong, Warner [<mailto:Warner.Wong@USPTO.GOV>]

Sent: Friday, May 04, 2007 8:34 AM

To: Jim Henry

Subject: RE: Interview re 09/992,266

Jim:

The proposed changes below have not fully address the 101 issue for yielding a useful, concrete & tangible result. Each independent (computer-implementable) methods/mediums claim is required to described a useful, concrete & tangible result, for example, having an ending phrase as follows:

claim 1:

A method, comprising:

receiving an AAL5 CPCS-SDU at a router;
encapsulating the AAL5 CPCS-SDU into an AAL5 enhanced packet at the router;
generating an MPLS packet from the AAL5 enhanced packet, wherein the AAL5 enhanced packet comprised an ATM header and a control word, the control word comprising a transport type bit to indicated that the MPLS packet comprises an AAL5 CPCS-SDU; and
routing the MPLS packet over an MPLS network, wherein the control word properly identifies whether the MPLS packet contains an ATM cell or an AAL CPCS-SDU. [from spec., paragraph 28]

Regards,

Warner Wong

-----Original Message-----

From: Jim Henry [mailto:jim_henry@bstz.com]

Sent: Monday, April 30, 2007 6:26 PM

To: Wong, Warner

Subject: Interview re 09/992,266

Examiner Wong:

In connection with the telephonic interview of 04/30/2007, applicant presents the following information:

Applicant proposes to address the rejection of claims 11 and 16 under 35 USC 101 as claiming a signal by amending the claims to claim "a computer readable storage medium having stored thereon a plurality of instructions" because a signal cannot store instructions.

Applicant proposes to address the rejection of claims 1 and 6 under 35 USC 101 as lacking a tangible result by amending the claims to claim "a computer implemented method in which a computer performs the method

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comprising: ..." to make clear that a computer performs the claimed method and thereby produces a tangible result.

Applicant proposes to address the rejection of claim 1 under 35 USC 103 as being unpatentable over Mauger (6,882,643) in view of Lundback (6,912,590) by amending claim 1 to add "the control word comprising a transport type bit to indicate that the MPLS packet comprises an AAL5 CPCS-SDU" following "a control word." This amendment conforms claim 1 to the elements of similar claims that the Examiner has found to be allowable, such as claim 21.

Applicant respectfully asks for the Examiner's comments on these proposed amendments as addressing all outstanding rejections in the application.

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